

REMARKS

The Examiner's detailed analysis and treatment of the invention disclosed and claimed in the Office Action is greatly appreciated. In response thereto, claims 1-4 have been extensively amended and Claims 5 and 6 have been cancelled. For the reasons hereinafter discussed, applicants respectfully submit that the inventions of amended Claims 1-4 are in proper form and are neither indefinite, anticipated nor rendered obvious by the prior art references relied upon.

In response to the Examiner's objection regarding Claim 1 analysis, applicants submit that, as defined in amended Claim 1 the specific organosiloxane oligomer, i.e., a linear or branched siloxane having a terminal group selected from a hydroxyl group, an amino group, and a hydrolysable group, which contains 0.7 percent by weight or less of a cyclic, low-molecular weight siloxane having 10 or less silicon atoms is used as a starting substance. This claim restriction is supported by PRODUCTION EXAMPLE 1 in the specification. By using this specific organosiloxane oligomer, the object of the present invention (reduction of volatile siloxane) can be attained, since thus the specified organosiloxane oligomer itself is lower in volatile siloxane. Also, both the organosiloxane oligomer and octamethylcyclotetrasiloxane, which is volatile and a typically conventional starting material for polyorganosiloxane synthesis as disclosed in the cited references, are produced simultaneously and separately from dimethyldichlorosilane by hydrolyzing condensation reaction. Thus, this difference in starting material between the organosiloxane oligomer and octamethylcyclotetrasiloxane is critical.

In response to the 35 USC §112 rejection, it should be recognized that the polyorganosiloxane of the present invention is produced by polymerizing the specific organosiloxane oligomer with 0.1 to 10 percent (by weight) of a graft crosslinking agent, namely, a silane compound having a bifunctional hydrolysable group and a vinyl group (see page 7, lines 1 to 12 of the present specification). Accordingly, a radically copolymerizable group is introduced into the polyorganosiloxane (A).

The prior art rejection based on (WO 2004/096876), Saegusa et al. U.S. Pat. No. 7,393,915 should be overcome by the arguments presented in the preceding two paragraphs.

In this connection, the Examiner points out that a product-by-process claim is unpatentable if the product, itself, is unpatentable. However, applicants submit that this Claim 1 is now a process claim and this rejection should be withdrawn as amended.

The prior art rejection based on (JP 2000-17029A) Ito et al. should be overcome by the following argument. As clear from the description [means for solving the problem] of the Ito et al. reference, the technology disclosed in the cited reference relates to a composite rubber type graft copolymer (i.e. a flame retardant and a flame retarding resin composition comprising a composed rubber type graft copolymer obtained by graft-copolymerizing a vinyl type monomer to a composed rubber comprising polyorganosiloxane and alkyl (meth)acrylate), which is fundamentally different from the present invention. Furthermore, as is clear from the description in [0010] in Ito et al., a cyclic siloxane is mentioned as a preferable example of a starting organosiloxane compound for the said polyorganosiloxane, and this is not the case in the present invention. Still further, the composed rubber type graft copolymers used in Examples 1 to 3 are limited only to polyorganosiloxane latex derived from tetraethoxysilane, γ -methacryloyloxypropyldimethoxymethylsilane and octaethylcyclotetrasiloxane as a starting compound (L-1), and in Comparative Examples 1 to 3 no composed rubber type graft copolymer itself is used.

The prior art rejections based on US2005/0038149, Hashimoto et al., and Saegusa et al. should be overcome by the arguments in paragraphs 2 and 3 of the Remarks in the foregoing response. In other words, applicants again recite the substance of the arguments found in paragraphs 2 and 3 of the REMARKS.

Finally, with regard to the double-patenting rejections found in pages 6-8 of the Office Action, applicants believe that the amendments to both claim form (process) and claim specifics should render the rejections moot. Accordingly, application should be in condition for allowance.

Respectfully submitted,

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